

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|-------------------------------|---|--------------|
| SHAWN MUNSON | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| COMMONWEALTH OF PENNSYLVANIA, | : | |
| et al. | : | NO. 11-1766 |

ORDER

AND NOW, this 3rd day of January, 2012, upon careful and independent consideration of the petition for writ of habeas corpus and the response thereto, and after review of the report and recommendation of United States Magistrate Judge Arnold C. Rapoport, it is hereby ORDERED that:

(1) the report is APPROVED and ADOPTED;

(2) the petition for writ of habeas corpus is CONDITIONALLY GRANTED. Petitioner is discharged from all custody resulting from his conviction and sentence under the Pennsylvania Corrupt Organizations Act in the Court of Common Pleas of Philadelphia County in Criminal No. CP-51-CR-0509225-1001. Petitioner is discharged from all custody resulting from his conviction and sentence under his other crimes of conviction unless, within 180 days from the date of the final determination of this matter, the Commonwealth of Pennsylvania resentences petitioner on those charges; and

(3) a certificate of appealability is NOT ISSUED.

BY THE COURT:

/s/ Harvey Bartle III
J.